

# OVERBERG DISTRICT MUNICIPALITY

## TRAVEL AND SUBSISTENCE POLICY



*Council Resolution No* :..... A337

*Date* :..... 27.05.2019

*Municipal Manager* :..... 

*Executive Mayor* :..... 

*Reference No* :..... 6/1/1/B

*Municipal Code No* :..... P-T-03.1

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## 1. DEFINITIONS

For purpose of this Policy, the following abbreviations, words or phrases shall have the meaning assigned thereto:

**"Daily allowance"** means the amount per day granted or advanced to a Council and/or an Official for costs related to meals and other incidental costs for each day in a period during which a Council and / or a Official is absent from his / her usual place of residence for official business. The allowance will be based on the rates as per the MFMA Circular 82 in regards to Cost Containment Measures.

**"Domestic travel"** means travel within the borders of the Republic of South Africa;

**"Fruitless and wasteful expenditure"** means expenditure that was made in vain and would have been avoided had reasonable care been exercised;

**"Host"** means the person or institution who has extended an invitation to the Overberg District Municipality to delegate a Councillor an / or official to attend an event which is regarded as official business;

**"International travel"** means travel outside the borders of the Republic of South Africa;

**"Irregular expenditure"** means –

- expenditure incurred by a municipality or municipal entity in contravention of/ or that is not in accordance with, a requirement of the Local Government: Municipal Finance Management Act, 2003 (Act No.56 of 2003) and which has not been condoned in terms of Section 170 of that Act;
- expenditure incurred by a municipality or municipal entity in contravention of/ or that is not in accordance with, a requirement of the Local Government: Municipal System Act, 2000 (Act No.32 of 2000) and which has not been condoned in terms of that Act;
- expenditure incurred by a municipality or municipal in contravention of/ or that is not in accordance with, a requirement of the Public Office-Bearers Act, 1998 (Act No.20 of 1998); or
- expenditure incurred by a municipality or municipal entity in contravention of/ or that is not in accordance with, a requirement of the Supply Chain Management Policy of the municipality's, and which has not been condoned in terms of such policy but excludes expenditure by a municipality which falls within the definitions of "Unauthorized expenditure";

**"Local travel"** shall include within as well as outside the area of jurisdiction of Overberg District Municipality but within the borders of the Western Cape Province,

**"MFMA"** means the Local Government: Municipal Finance Management Act, 2003 (Act No.56 of 2003);

**"Municipality"** means Overberg District Municipality (ODM);

**"ODM"** means the Overberg District Municipality;

**"Official business"** for purpose of this Policy shall mean the attendance by Councillors and/ or Officials of congresses, conferences, seminars, training, meetings, workshops, etc. related to the business of Overberg District Municipality, subject thereto that such attendance has been duly authorized in terms of Overberg District Municipality's System of Delegations (as amended from time to time);

**"Out of pocket expenses"** means actual and necessary expenses incurred by a Councillor or official, which –

- (a) have been specifically authorized; or
- (b) are provided for in this policy

in connection with an official, specific or ceremonial duty which has been delegated to the Councillor or official;

**"SARS"** means the South African Revenue Services;

**"SCM Policy"** means Overberg District Municipality's Supply Chain Management Policy adopted by Council in terms of Section 111 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA).

**"SCM Regulations"** means Overberg District Municipality's Supply Chain Management Regulations promulgated in terms of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA)

**"Subsistence expenses"** means expenses in respect of accommodation and/ or meals and/ or beverage (excluding alcoholic beverages), while a Councillor and/ or Official is by reason of the duties of his/ her office or employment obliged to spend at least 1 (one) night away from his/ her usual place of residence;

**"Transportation expenses"** shall include trips during official Overberg District Municipality business by vehicle, taxi, boat, helicopter, train, tram and aero plane and any other means, and shall include travel with personally owned vehicle;

**"Unauthorized expenditure"** means any expenditure incurred by a municipality otherwise than in accordance with Section 15 or 11(3) of the MFMA, and includes –

- (a) Overspending of the total amount appropriated in the municipality's approved budget;

- (b) Overspending of the total amount appropriated for a line item in the approved budget;
- (c) Expenditure from a line item unrelated to the department or functional area covered by the line item;
- (d) Expenditure of money appropriated for a specific purpose other than travel and subsistence under the specific vote; and
- (e) Spending of an allocation referred to in paragraph (b), (c) or (d) of the definition of "allocation" otherwise than in accordance with any conditions of the allocation.

## **2. PURPOSE OF POLICY**

The purpose of this policy is to -

- 2.1 Regulate local, domestic and international travel with regard to official business by Councillors and/ or officials on behalf of Overberg District Municipality;
- 2.2 Clearly define travel and subsistence related expenses as set out in this Policy;
- 2.3 Set out the conditions for official business;
- 2.4 Clarify the various related processes and responsibilities.

## **3. APPLICATION**

- 3.1 This policy shall be applicable on Councillors in so far as it is not contradictory with the Remuneration of the Public Office Bearers Act, 1998 (Act No. 20 of 1998) and Regulations promulgated in terms of the said Act.
- 3.2 This Policy shall be applicable to all officials designated to attend to official business of Overberg District Municipality as well as the Officials involved in processes with regard to the execution of this Policy.

## **4. GENERAL**

- 4.1 All official business travels must contribute to Overberg District Municipality's business of developing, obtaining, or transferring of knowledge or to communicate, promote or administer Overberg District Municipality's interests.
- 4.2 The object of travelling for purpose of official business is to justify the cost and thus all official business travel and related costs must be properly motivated.

- 4.3 The object of reimbursement for official business related expenses is to cover reasonable expenses incurred as a result of attending to official business on behalf of Overberg District Municipality.
- 4.4 All official business travel must be planned thoroughly to ensure that is executed in the most efficient, effective and economic manner.
- 4.5 This Policy is positioned within the context of the South African Revenue Service (SARS) definitions, Regulations and maximum rates that can be paid with regards to travel and subsistence without incurring tax liability, as determined annually by the Minister of Finance in respect of the applicable year of assessment.

## **5. AUTHORIZATIONS AND ROLES AND RESPONSIBILITIES**

- 5.1 No Councillor and/ or official of Overberg District Municipality may go on official business without prior authorization as provided for in Overberg District Municipality's System of Delegation.
- 5.2 The authorization of appropriate officials and the roles and responsibilities of officials in respect of the processing and approval of travel and subsistence claims and advances, shall be strictly in accordance with Overberg District Municipality's System of delegations in writing by the Accounting Officer and/ or the Chief Financial Officer.
- 5.3 The procurement of goods and services required in the execution of this Policy shall be in strict compliance with the provisions of the MFMA, the SCM regulations promulgated in terms of the Act and the SCM Policy of Overberg District Municipality.
- 5.4 The municipality and travel agencies, must use the negotiated rates for flights and accommodation as communicated by National Treasury from time to time.

## **6. EXCLUDED COSTS**

The following expenses shall not be covered by Overberg District Municipality:

- 6.1 Any expenses covered by a host extending an invitation;
- 6.2 Alcohol beverages;
- 6.3 Expenses of a personal nature, such as private calls and entertainment;

## **7. INCLUDED COSTS**

### **7.1 REGISTRATION AND ATTENDANCE FEES**

Fees payable for the registration and/or attendance of official business as provided for in the definition in Clauses 1 shall be covered by Overberg District Municipality.

## **7.2 ACCOMMODATION**

### **7.2.1 General**

- (a) No official will be entitled to overnight within the area of jurisdiction of Overberg District Municipality without the prior written authorization of the Municipal Manager or his/ her delegate.
- (b) Accommodation rates for single rooms will be applicable, unless single rooms are not available or in cases where Councillors and/or officials are accommodated in shared lodging consisting of more than 1 (one) bedroom, for which a flat rate per unit is applicable.
- (c) Accounting officers and accounting authorities must ensure that domestic accommodation expenditure do not exceed the maximum allowable rates set out in the Domestic Accommodation Rate Grid enclosed as **Annexure D** to this Treasury Instruction. The National Treasury will review the rates contained in the enclosed **Annexure D** as and when necessary.
- (d) Accounting officers and accounting authorities or delegated officials may only approve accommodation costs that exceed the amount prescribed in **Annexure D** of this Treasury Instruction –
  - during peak holiday periods; and
  - when South Africa is hosting an event in the country or in a particular geographical area that results in an abnormal increase in the number of local and/or international guests in the country or in that particular geographical area.
- (e) Accommodation will in general be arranged at the venue of the business, unless the accommodation rate is inconsistent with 7.2.2, in which case other accessible, suitable and more economical accommodation in close proximity of the venue must be arranged.
- (f) Accounting officers and accounting authorities or delegated officials must ensure that overnight accommodation for employees is limited to instances where the distance travelled by road (by the traveller) exceeds 300 kilometers to and from the destination (return journey), unless approved otherwise by the accounting officer or accounting Authority or delegated official.
- (g) Subsistence allowance for meals may not be paid to the traveller if the rate of the accommodation facility already includes dinner and/or breakfast or if the conference fee includes lunch and/or dinner.
- (h) Special dietary requirements must be considered when the most relevant accommodation option is booked. If the accommodation establishment does not have dinner facilities or does not cater for special dietary requirements, then a room excluding the meals must be booked (bed-and-breakfast or room only) and the traveller may claim subsistence for his or her meals.
- (i) The time of departure from residence or office will be used for purpose of calculating the length of absence.

- (j) Overnight approval will only be granted if the workshop/training/forum or where attendance is required starts before 9:00 the following morning. Written recommendation is required from the Head of Department for final approval from the Director or his/her delegate.
- (k) Where a Councillor and/or official stays with a relative or friend, may an amount of R 400,00 per day be claimed.

#### 7.2.2 RATES

Costs incurred for domestic accommodation and meals must be in accordance with the maximum allowable rates for domestic accommodation (**based on 3 star**) and meals, as communicated by National Treasury as per the Cost Containment Measures. Travel agencies must ensure that rates for domestic accommodation are equal or lower than the rates as determined by National Treasury.

### 7.3 DAILY ALLOWANCES FOR MEALS

- (a) Where a Councillor and/or an official is obliged to spend 1 (one) or more nights away from his/her usual place of residence on official business, a daily allowance, based on the rates for meals as per cost containment measures determined by National Treasury from time to time, is payable.
- (a) Daily allowances will be paid to Councillors/or officials for purposes of subsistence 2 (two) working days prior to departing on official business in cases where meals are not included in the rates for accommodation. Documentary proof of actual spending must be submitted within one (1) weeks after arrival to the Salary Section. If no documentary proof are received, will the daily allowance be deducted from his/her salary.
- (b) Expenses may be claimed on return, and documentary proof shall be deemed to have been actually spent to defray the expenses indicated (provided that claims are timely submitted by a Councillor and/ or an Official within 4 (four) working days prior to the departure).
- (c) Where a councillor or an official is obliged to spend 1 (one) or more nights away from his/her usual place of residence on an **international business trip**, a daily allowance in accordance with the amount, as determined by the Commissioner for the South African Revenue Service, will be paid.

### 7.4 TRANSPORTATION EXPENSE

The cheapest mode of transport as determined with the discretion of Overberg District Municipality will be explored. The following expenses with regards to transportation will be payable by Overberg District Municipality:

#### 7.4.1 AIR TRAVEL

- (a) The Accounting Officer may only approve the purchase of economy class tickets for officials regardless the flying time for a flight.

(b) The municipality, travel agencies and/or TMC's must ensure that the discounted air fares for government employee as negotiated by National Treasury in terms of the cost containment measures are used and that full use be made of the same

© The most economical airline tickets available on the date of booking will be selected and in regard, tickets will be booked as far as possible in advance in order to acquire the benefit of economical bookings – **late bookings** at a non-economical rate must be properly motivated before such ticket may be booked.

(d) Councillors and/or officials will depart and return on flight(s) as originally booked and may only depart or return on any flight if there is no additional cost implication of any kind; provided that if special and/or urgent circumstances prevail, the Accounting Officer or his/her delegate may authorize a deviation from this condition, failing which any additional costs related to the cancellation of airline tickets and/or changing of flights, or in cases where the Councillor and/or official does not show up for his/her booked flight, will be regarded as fruitless and/or wasteful expenditure as contemplated in the MFMA and will be referred to Council and depending on the outcome, will be recovered by Overberg District Municipality from the salary of the Councillor and/or official concerned.

(e) In case where air travel is the most appropriate means of transport and an official prefers to travel in a privately owned vehicle he/ she will be reimbursed the equivalent of the avoided airline ticket cost, being the most economical and practical means of transport; on condition that such an official may not claim for additional accommodation, meals and/or refreshments for a longer period than would have been applicable in the case of air travel.

#### **7.4.2 CAR RENTAL**

(a) Officials of the municipality must:

- (i) utilize the municipal fleet, where viable, before incurring costs to hire vehicles;
- (ii) make use of a shuttle service if the cost of such a service provider is lower than the cost of hiring a vehicle or the cost kilometres claimable by the employee..

(b) Class B rates car rental will be payable by Overberg District Municipality in cases where a car rental is the appropriate means of transport, unless this class is not appropriate under the circumstances, but with prior approval by the Municipal Manager.

##### **1. Privately owned vehicles**

Where privately owned vehicles are utilized by Councillors and/or official travel inside the jurisdiction area of Overberg District Municipality, Councillors and/or officials shall be reimbursed as follows –

- **Section 57 Appointees**

Section 57 Appointees of Overberg District Municipality delegated to attend Official business, may only claim reimbursement for official distances in a particular month in accordance with the applicable tariffs prescribed by the Department of Transport for the use of privately owned vehicles, subject thereto that a logbook per month, must be kept for purposes of determining official distances travelled per month.

- **Councillors and other officials**

Councillors and Officials, on the transport allowance scheme may submit claims on a monthly basis in respect of official business travel undertaken (actual distance travelled) in their privately owned vehicle in accordance with the applicable transport allowance scheme. All other officials will be reimbursed according to the essential scheme fixed and variable tariffs subject to prior authorization by the Municipal Manager.

## **2. Parking and toll fees, bus and taxi fares**

Councillors and/or officials will be entitled to reimbursement of all parking and toll fees as well as bus and taxi fares upon submission of a duly completed claim together with proof of expenditure in this regard to the Accounting Officer or his/her delegate.

## **3. Other travel- related expenses**

The Overberg District Municipality shall cover the following other travel-related expenses with regard to official business –

- **Passport and visa expenses**

Councillors and/or officials will be entitled to reimbursement of all passport and visa expenses upon submission of a duly completed claim form together with proof of expenditure in this regard to the Accounting Officer or his/her delegate.

- **Medical Costs**

The following shall be applicable with regards to medical costs incurred during official business:

- **International travel**

The Overberg District Municipality shall bear the costs of medical insurance required by international countries prior to travel at the country of destination, but will not be liable for additional medical expense not covered by the medical insurance. The insurance cover is only for the period that a Councillor and /or Official is/are away from home on a trip relating to official business; councillor and official must inform their Medical Scheme before travelling abroad.

## **b. OUT OF POCKET EXPENSES**

Councillors and officials will be reimbursed for actual and necessary out of pocket expenses (except travel and laundry costs), subject thereto that detailed proof of

expenditure is submitted with the claim for reimbursement – the Accounting Officer may request that the Councillor or official motivates the necessity of expenditure.

## **8. REPORTS**

A comprehensive exposition regarding –

- The nature and reasons for official business travel;
- Outcome and benefits derived; and
- Expenses incurred

Of all international official travel must be reported to the Mayoral Committee at the first meeting after the date of return.

## **9. EFFECTIVE DATE**

This policy shall come into effect on the date which it was adopted by Council and shall remain in full force and effect until it is reviewed, revoked or amended by Council.

## **EXTRACT FROM THE COUNCIL MEETING HELD ON 27 MAY 2019**

Item A337. 27.05.2019

### **2019-20 TO 2021/2022 OPERATING AND CAPITAL BUDGET, IDP AND POLICY DOCUMENTS (Ref.:6/1/1/B)**

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CF Hoffman: Chief Financial Officer

#### **PURPOSE OF REPORT**

The purpose of the report is to submit the budget for 2019 / 2020 MTREF to Council for consideration of approval.

#### **BACKGROUND**

In terms of section 16 of the Local Government: Municipal Financial Management Ac, 2003 (Act 56 of 2003) council must approve an annual budget before the start of the financial year.

#### **LEGAL FRAMEWORK**

The Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) stipulates as follows:

##### **Municipal budgets**

16. (1) The Council of a municipality must for each year approve an annual budget for the municipality before the start of the financial year.  
(2) In order for a municipality to comply with subsection (1), the mayor of the municipality must table the annual budget at a council meeting at least 90 days before the start of the budget year.

##### **Contents of annual budgets and supporting documentation**

17. (1) An annual budget of a municipality must be a schedule in the prescribed format—
  - (a) setting out realistically anticipated revenue for the budget year from each revenue source;
  - (b) appropriating expenditure for the budget year under the different votes of the municipality;
  - (c) setting out indicative revenue per revenue source and projected expenditure by vote for the two financial years following the budget year;
  - (d) setting out—
    - (i) estimated revenue and expenditure by vote for the current year; and
    - (ii) actual revenue and expenditure by vote for the financial year preceding the current year; and
  - (e) a statement containing any other information required by section 215(3) of the Constitution or as may be prescribed.

- (2) An annual budget must generally be divided into a capital and an operating budget in accordance with international best practice, as may be prescribed.

(3) When an annual budget is tabled in terms of section 16(2), it must be accompanied by the following documents:

- (a) Draft resolutions—
  - (i) approving the budget of the municipality;
  - (ii) imposing any municipal tax and setting any municipal tariffs as may be required for the budget year; and
  - (iii) approving any other matter that may be prescribed;
- (b) measurable performance objectives for revenue from each source and for each vote in the budget, taking into account the municipality's integrated development plan;
- (c) a projection of cash flow for the budget year by revenue source, broken down per month;
- (d) any proposed amendments to the municipality's integrated development plan following the annual review of the integrated development plan in terms of section 34 of the Municipal Systems Act;
- (e) any proposed amendments to the budget-related policies of the municipality;
- (f) particulars of the municipality's investments;
- (g) any prescribed budget information on municipal entities under the sole or shared control of the municipality;
- (h) particulars of all proposed new municipal entities which the municipality intends to establish or in which the municipality intends to participate;
- (i) particulars of any proposed service delivery agreements, including material amendments to existing service delivery agreements;
- (j) particulars of any proposed allocations or grants by the municipality to—
  - (i) other municipalities;
  - (ii) any municipal entities and other external mechanisms assisting the municipality in the exercise of its functions or powers;
  - (iii) any other organs of state; (iv) any organisations or bodies referred to in section 67(1);
- (k) the proposed cost to the municipality for the budget year of the salary, allowances and benefits of—
  - (i) each political office-bearer of the municipality;
  - (ii) councillors of the municipality; and
  - (iii) the municipal manager, the chief financial officer, each senior manager of the municipality and any other official of the municipality having a remuneration package greater than or equal to that of a senior manager;
- (l) the proposed cost for the budget year to a municipal entity under the sole or shared control of the municipality of the salary, allowances and benefits of—
  - (i) each member of the entity's board of directors; and
  - (ii) the chief executive officer and each senior manager of the entity; and (m) any other supporting documentation as may be prescribed.

## 22. Publication of annual budgets –

- (1) Immediately after an annual budget is tabled in a municipal council, the accounting officer of the municipality must—
  - (a) in accordance with Chapter 4 of the Municipal Systems Act—
    - (i) make public the annual budget and the documents referred to in section 17(3); and
    - (ii) invite the local community to submit representations in connection with the budget; and
  - (b) submit the annual budget—

- (i) in both printed and electronic formats to the National Treasury and the relevant provincial treasury; and
- (ii) in either format to any prescribed national or provincial organs of state and to other municipalities affected by the budget.

23. **Consultations on tabled budgets –**

- (1) When the annual budget has been tabled, the municipal council must consider any views of—
  - (a) the local community; and
  - (b) the National Treasury, the relevant provincial treasury and any provincial or national organs of state or municipalities which made submissions on the budget.
- (2) After considering all budget submissions, the council must give the mayor an opportunity—
  - (a) to respond to the submissions; and
  - (b) if necessary, to revise the budget and table amendments for consideration by the council.
- (3) The National Treasury may issue guidelines on the manner in which municipal councils should process their annual budgets, including guidelines on the formation of a committee of the council to consider the budget and to hold public hearings.
- (4) No guidelines issued in terms of subsection (3) are binding on a municipal council unless adopted by the council.

**COMMENTS**

The draft 2019/20 Medium Term Revenue and Expenditure Framework (MTREF) report inclusive of the budget schedules, which have been compiled in terms of the Municipal Budgeting and Reporting Regulations (MBRR), have been distributed after tabling it in the Council meeting of 25 March 2019, while a notice has been placed in the local newspapers to invite the public/community to submit comments on the draft/tabled budget.

**Input from Provincial Treasury**

Provincial Treasury has submitted their 2019 LGMTEC Assessment Report on 24 April 2019 and the municipal respond was discussed with PT on 3 May 2019. The following are highlighted:

- (a) The 2019/20 budget need to be revised in regards to supporting document SA 35 for “contracts with future budgetary implications” which must be completed while a paragraph should be included in the budget report.
- (b) In terms of the credibility and sustainability of the municipality did Provincial Treasury highlighted the following in regards to the “Fire Station” capital project:
  - o *The Municipality must exercise its mandate to ensure the safety of communities however the affordability should be assessed. R2.9 million will be invested in a fire station from own funds of which limited return will be received. This results in depletion of reserves, impacting on the future sustainability of the Municipality to deliver services. Provincial Government will fund the Fire Safety plan aiming to foster the Whole of Society Approach by ensuring the safety of all through partnerships across all levels of government.*
  - o *It is imperative to ensure future sustainability and maintain healthy liquidity ratios by managing expenditure in line with available revenue. The capital budget is largely*

*funded by own funds which exposes the Municipality to a further liquidity risk as cash reserves are utilised in addition to the loan taken up. The Municipality is encouraged to exercise financial prudence over the MTREF to maintain future sustainability.*

If Council's own funds be used to construct the fire station, will the reserves be depleted, and it will impact negatively on the future sustainability of the municipality. The municipality do however have properties that can be sold to finance the construction of the fire station. It is therefore proposed that, although the fire station is needed for service delivery, the fire station only be constructed once municipal property has been sold to finance the project.

#### **Input received from Overstrand Municipality**

A tariff of R 155 per ton for "General Household Waste for third parties" was included in the draft budget. The amount should however be amended to R 217.45 as confirmed by the Consulting Engineer.

The necessary amendments have been made in the 2019/20 budget document, as proposed.

**Unanimously resolved :** (Proposed by Ald A Franken and seconded by Cllr A Klaas)

That Council approves the following:

1. That the consolidated Operating budget of R 222 412 209, Capital budget of R 11 353 111, and budgeted cash flows, as set out in the Municipal Budget be adopted and approved by Council and that it constitutes the Budget of the Council for 2019/2020 financial year as well as the medium term (indicative) budgets for the 2020/2021 and 2021/2022 financial years.
2. The Integrated Development Plan and related documents and any amendments thereto, was approved.
3. The Spatial Development Framework and any amendments thereto, was approved.
4. That the tariffs as per tariff list be approved.
5. That all other matters prescribed in sections 17(1) (a-e); 17(2) and 17(3) (a-m) of the Municipal Finance Management Act are included in or accompany the budget document was approved.
6. The measurable performance objectives for 2019/2020 for operating revenue by source and by vote was approved.
7. The following budget related policies was approved:
  - Asset Management Policy
  - Credit Control and Debt Collection Policy
  - Cash Management and Investment Policy
  - Tariff Policy
  - Supply Chain Management Policy
  - Virement Policy (amended)
  - Borrowing Policy
  - Funding and Reserves Policy

- Budget Policy
- Customer Care Policy
- Demand Management Policy
- Infrastructure and delivery Management Policy
- Infrastructure investment and Capital projects Policy
- Liquidity Policy
- Long term Financial Planning Policy
- Management and Admin of Immovable Assets Policy
- Payroll Management and Administration Policy
- Preferential Procurement Policy
- Travelling and Subsistence Policy(amended)
- Cost containment Policy(new)

CERTIFIED A TRUE EXTRACT FROM THE MINUTES OF THE COUNCIL MEETING HELD  
ON 27 MAY 2019.



DP BERETTI  
MUNICIPAL MANAGER